

AMENDED IN SENATE JANUARY 12, 2012

AMENDED IN SENATE JANUARY 4, 2012

SENATE BILL

No. 683

Introduced by Senator Correa

February 18, 2011

An act to add Section 7574 to the Government Code, relating to children's services.

LEGISLATIVE COUNSEL'S DIGEST

SB 683, as amended, Correa. Early intervention services: assessments.

Existing law, the California Early Intervention Services Act, is administered jointly by the Secretary of ~~the~~ California Health and Human Services ~~Agency~~ and the Superintendent of Public Instruction, with the State Department of Developmental Services as the lead agency responsible for administration and coordination of the statewide system of services for the enhancement of the development of children who have disabilities or who are at risk of having disabilities and to minimize the potential for delays in their development. Under existing law, these provisions are in effect only until the state terminates its participation in prescribed components of the federal Individuals with Disabilities Education Act.

This bill would require the secretary and the Superintendent of Public Instruction to, among other things, *create and* require the use of an interagency electronic integrated assessment *instrument* for these purposes. The bill would also establish the Special Children's Electronic Integrated Assessment Instrument Fund in the State Treasury to be made available, upon appropriation, for the implementation of this bill. The bill would require the Director of Finance to file a prescribed notice if sufficient moneys are available in the fund to implement the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7574 is added to the Government Code,
2 to read:
3 7574. (a) The Legislature finds and declares all of the
4 following:
5 (1) Children receiving special education and related services
6 are often clients of a regional center and of the California
7 Children's Services ~~program~~ *Program*, and recipients of county
8 health or mental health services, as well as the beneficiary of
9 private, commercial, or other nongovernment insurance.
10 (2) Each organization that provides these services may require
11 separate assessments annually and may require parents to provide
12 the same information multiple times on separate required forms.
13 (3) Multiple assessments can be a burden on families and
14 children who must find the time and resources to travel to several
15 different locations each year for multiple assessments.
16 (b) With the goal of finding ways to consolidate assessments
17 and the attendant paperwork, the Secretary of the California Health
18 and Human Services ~~Agency~~ and the Superintendent of Public
19 Instruction, or their designees, shall do all of the following:
20 (1) Require the use of an interagency electronic integrated
21 assessment instrument (EIAI) by all authorized, qualified personnel
22 of the state and local agencies that provide services, the treating
23 therapists, physicians, service providers, governmental employees,
24 nonpublic agencies, and other qualified private health practitioners
25 and education professionals, when conducting an assessment.
26 (2) Ensure that authorization for access to the child's medical
27 records contained on the EIAI is with the consent of the parents
28 or other legal guardian, or by the adult consumer, and in
29 conformance with federal Health Insurance Portability and
30 Accountability Act laws.
31 (3) *In conjunction with representatives of counties, local*
32 *education agencies, providers of regional center services, regional*
33 *center case managers, and other relevant organizations, create*
34 *the EIAI.*
35 (3)

1 (4) Implement a process whereby all of the following occur:

2 (A) A comprehensive assessment is completed at least annually
3 to meet the needs of every agency that is required to conduct an
4 assessment.

5 (B) The comprehensive assessment is completed by a qualified
6 health practitioner or education professional of each relevant
7 discipline.

8 *(C) For elements of the assessment that require unique*
9 *professional expertise to evaluate a child's needs and progress,*
10 *that portion of the EIAI shall be submitted by a provider with*
11 *expertise in providing or overseeing those services.*

12 ~~(C)~~

13 (D) The comprehensive assessment findings are input and stored
14 in the EIAI for access by all authorized persons.

15 ~~(4)~~

16 (5) Coordinate the agencies responsible for providing services
17 to children with disabilities in utilizing the EIAI and prorate each
18 share of the costs of the special needs assessment among the
19 governmental and private agencies responsible for the assessment
20 in accordance with the agency's percentage of responsibility for
21 the assessment, and any applicable private insurance carriers of
22 the child.

23 ~~(5)~~

24 (6) Further the maximum utilization of all state and federal
25 resources available to provide a child with a disability a free,
26 appropriate public education and related services by limiting
27 assessments, at the discretion of the parent, to one annual
28 interagency assessment per relevant discipline, in lieu of requiring
29 a duplication of assessments within the same discipline.

30 (c) (1) There is hereby created the Special Children's Electronic
31 Integrated Assessment Instrument—~~("EIAI") Fund~~ *(Special*
32 *Children's EIAI) Fund* in the State Treasury.

33 (2) The fund shall contain donations that have been collected
34 and deposited for the purposes of this section, as well as any federal
35 funds made available for purposes of this section. Notwithstanding
36 Section 16305.7, the fund shall also contain any interest and
37 dividends earned on moneys in the fund. No state funds shall be
38 used to implement subdivision (b) of this section.

1 (3) Subject to paragraph (4), moneys in the Special Children's
2 EIAI Fund shall be available, upon appropriation by the
3 Legislature, for implementation of subdivision (b) of this section.
4 (4) No moneys shall be expended from the fund until the
5 Director of Finance determines that sufficient moneys are in the
6 fund to implement subdivision (b) of this section. If sufficient
7 moneys are in the fund, the Director of Finance shall file a written
8 notice thereof with the Secretary of State. Subdivision (b) shall
9 not be implemented until moneys in the fund are appropriated for
10 purposes of this section.